

01-03-02

Atty. Docket No.: 17633/1235

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener, et al  
Serial No.: 09/963,875  
Filed: September, 26, 2001  
Entitled: Stem Cells and Islets of Langerhans  
and Their Use in Treating Diabetes  
Mellitus.

Examiner Not Yet Assigned  
Group Art Unit: Not Yet Assigned  
Conf. No.: Not Yet Assigned

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL326923915US** on this date, December 21, 2001, postage prepaid, in an envelope addressed to Box: C,ommissioner for Patents, Washington, D.C. 20231.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

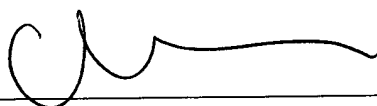
Enclosed for filing in the above-identified patent application, please find the following documents:

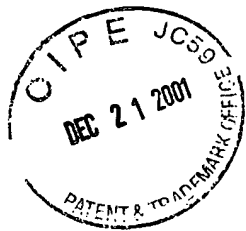
1. Preliminary Amendment with Marked Up Version;
2. Return Post Card.

The Assistant Commissioner of Patents is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 16-0085, Reference No. 17633/1235. A duplicate of this letter is enclosed for that purpose.

Respectfully submitted,

Date: December 21, 2001

  
Kathleen Williams  
Registration No.: 34,380  
Customer No.: 29933  
Palmer & Dodge LLP  
111 Huntington Ave.  
Boston, MA 02199  
Tel: 617-239-0100



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Kathleen M. Williams

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Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Dear Sir:

In the Specification

Please insert the following paragraph at the top of page 1 before **TECHNICAL FIELD OF THE INVENTION** :

This invention claims priority to; US Provisional Application Serial No. 60/169,082 December 6, 1999, US Provisional Application Serial No. 60/215,109 June 28, 2000, US Provisional Application Serial No. 60/238,880 October 6, 2000 and US Patent Application 09/731,261 December 6, 2000.

Applicant respectfully requests entrance of this amendment and states that no new matter is included.

Respectfully submitted,

Date: December 21, 2001

Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 29933

Palmer & Dodge LLP

111 Huntington Ave.

Boston, MA 02199

Tel: 617-239-0100